

APR 29 2019

Clerk, U.S. Dist. Court
W. Dist. of N.C.

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION

GEORGE MURRAY SIMMONS II,)	
)	
Plaintiff,)	AMENDED
)	COMPLAINT
v.)	
)	Case No. 1:19-CV-00039-MR-WCM
INGLES MARKETS INC. et al,)	
)	
Defendants,)	
)	
)	
)	

PLAINTIFF GEORGE MURRAY SIMMONS II AMENDED COMPLAINT.

Plaintiff George Murray Simmons II, pursuant to rule 15(a)(1)(b) of the Federal Rules of Civil Procedure respectfully files this Amended complaint.

INTRODUCTION

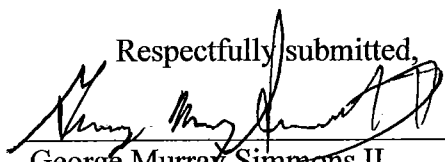
1. This is an action to recover damages and lost wages, caused by the Defendant through their actions both retaliatory and through course of actions both direct and indirect that resulted in their violating the civil rights of the Plaintiff. This amended complaint is provided to clarify and give more detail to the original complaint and to address motions by the Defendant.
2. The Plaintiff asks the court to amend the list of Defendants to add Ingles Markets INCORPORATED as a Defendant. Though the business Ingles Markets Inc. is a marketed name under which the company does business the Defendant has expressed this is not a correct name and I ask that this Defendant be added to address this concern of the Defendant.
3. The plaintiff asserts that the time line presented in document 1-1 was a detailed description of the specific actions taken by the Defendants that were determined to be done for the purposes of harassing, retaliating and violating section 102 (3)(a)(b) of the ADA with the use of an undocumented unwritten quota that had never been mentioned or used before the threat and subsequent write up of 5/23/2018. These actions and the underlying effects served to deprive the plaintiff of his civil rights, his job and violated the laws: The Americans with Disabilities Act, The civil rights act of 1990, the subsections and associated laws and statues these documents were built upon where applicable. These actions are of which damages can be sought under these laws in their entirety and are so stated here.

Plaintiff under review of the Complaint for Employment Discrimination filed in Document 1 with the Clerk of Courts and the Defendants motions regarding dismissal of Greg Hughes and Ingles Markets Inc. as Defendants in this case he Plaintiff provides the Amended Complaint to address any error of name with regard to the Defendants and to address clarification of the claims outlined in the

original complaint. All such references here refer back to the original complaint and are filed here for the purposes to give more detail and more thorough understanding of these events. In the interest of justice we make this pleading upon the court to amend this complaint.

As this request is being made within the guidelines of 15(a)(1)(b) and in a timely manner as required by this rule and any other applicable we respectfully request the court to grant our request. We also ask that if any part of this request is not within allowable actions that those that are allowable actions be considered taken by this amended complaint.

Dated this 26th day of April, 2019.

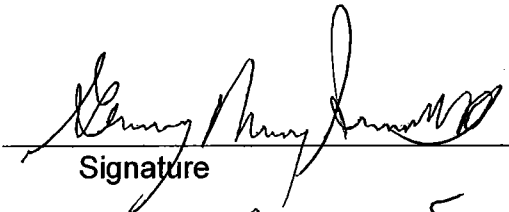
Respectfully submitted,

George Murray Simmons II
57 Enota Village Dr. #109
Young Harris, Ga. 30582

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing documents were mailed/ delivered to the following individuals at the addresses listed:

Benjamin R. Holland
Ogletree, Deakins, Nash, Smoak & Stewart, P.C.
201 South College Street, Suite 2300
Charlotte, NC 28244

This the 26 day of April, 20 .



Signature

GEORGE MURRAY SIMMONS
(Print Name)